

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
APRIL 18, 2006  
MINUTES**

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| ROLL CALL   | A. The regular meeting of the Common Council was held on April 18, 2006 and called to order at 6:30 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski. Also present were City Engineer Bennett, City Attorney Wesolowski and City Clerk Wesolowski.   |
| CITIZEN<br>COMMENT  | B-1. Citizen comment period was opened at 6:36 p.m. and closed at 6:40 p.m.   |
| MUNICIPAL<br>JUDGE  | B-2. City Clerk Wesolowski administered the Oath of Office to Frederick F. Klimetz, Municipal Judge.  |
| ARBOR DAY   | B-3a. City Clerk Wesolowski read a Mayoral proclamation to designate April 28, 2006 as Arbor Day in the City of Franklin.   |
| STOCK<br>MARKET   | B-3b. Mayor Taylor and Alderman Hammelman presented a Certificate of Recognition to Drew Hessil and Cameron Nook, students at Forest Park Middle School who placed 1st in the Southeast Junior Division of a statewide stock market simulation.   |
| MINUTES-<br>4/01/06   | C-1. Alderman Olson moved to approve minutes of the special meeting of April 1, 2006 as presented. Seconded by Alderman Skowronski. All voted Aye; motion carried.  |
| MINUTES-<br>4/03/06   | C-2. Alderman Kosovich moved to approve minutes of the regular meeting of April 3, 2006 as presented. Seconded by Alderman Solomon. All voted Aye; motion carried.  |
| RES. 2006-6071<br>SPECIAL USE-<br>WHEATON<br>FRANCISCAN<br>SERVICES, INC. | F-1. Alderman Kosovich moved to adopt Resolution No. 2006-6071, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A BUILDING GREATER THAN 40,000 GROSS SQUARE FEET PURSUANT TO §15-3.0306A.A.5. OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE AND FOR A HEALTH CARE CENTER WITH OVERNIGHT PATIENT BEDS PURSUANT TO §15-3.0306A.C. AND TABLE 15-3.0603 OF THE UNIFIED DEVELOPMENT ORDINANCE, LISTING 8062 GENERAL MEDICAL & SURGICAL HOSPITALS AS A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 10101 SOUTH 27TH STREET (WHEATON FRANCISCAN SERVICES, INC.) subject to the approval of the other Wheaton Franciscan Health Care Center items upon this April 18, 2006 agenda. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried. |

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| RES. 2006-6072<br>CERTIFIED SURVEY<br>MAP-<br>WHEATON<br>FRANCISCAN<br>SERVICES, INC.   | F-2. | Alderman Kosovich moved to adopt Resolution No. 2006-6072, A RESOLUTION CONDITIONALLY APPROVING A 1 LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (WHEATON FRANCISCAN SERVICES, INC., APPLICANT) (APPROXIMATELY 10101 SOUTH 27TH STREET) subject to the approval of the other Wheaton Franciscan Health Care Center items upon this April 18, 2006 agenda. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.  |
| RES. 2006-6073<br>EASEMENT-<br>WHEATON<br>FRANCISCAN<br>SERVICES, INC.                  | F-3. | Alderman Kosovich moved to adopt Resolution No. 2006-6073, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP (AT APPROXIMATELY 10101 SOUTH 27TH STREET) (WHEATON FRANCISCAN SERVICES, INC., APPLICANT) subject to the approval of the other Wheaton Franciscan Health Care Center items upon this April 18, 2006 agenda, and further that maps depicting each of the protected areas accompany the conservation easements and legal descriptions to be filed with Register of Deeds after execution. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried. |
| RES. 2006-6074<br>RIGHT OF WAY<br>DEDICATION –<br>WHEATON WAY                           | F-4. | Alderman Kosovich moved to adopt Resolution No. 2006-6074, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A RIGHT OF WAY DEDICATION OF THE NORTH HALF STREET OF WEST WHEATON WAY FROM MLG FRANKLIN, LLC (AT APPROXIMATELY NORTH OF 10101 SOUTH 27TH STREET) (MLG FRANKLIN, LLC, APPLICANT) subject to the approval of the other Wheaton Franciscan Health Care Center items upon this April 18, 2006 agenda. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.   |
| RES. 2006-6075<br>DEVELOPMENT<br>AGREEMENT –<br>WHEATON<br>FRANCISCAN<br>SERVICES, INC. | F-5. | Alderman Solomon moved to adopt Resolution No. 2006-6075, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF THE WHEATON FRANCISCAN HEALTHCARE CENTER (WHEATON FRANCISCAN SERVICES, INC.). Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.  |
| RES. 2006-6076<br>W. OAKWOOD ROAD<br>AND S. 27TH STREET                                 | F-6. | Alderman Solomon moved to adopt Resolution No. 2006-6076, A RESOLUTION REQUESTING OAK CREEK TO PARTICIPATE IN THE INTERSECTION IMPROVEMENTS TO S. 27TH STREET AND W. OAKWOOD ROAD FOR IMPROVEMENTS TO W. OAKWOOD ROAD IN OAK CREEK AS REQUIRED BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION RELATIVE TO THE DEVELOPMENT OF THE WHEATON   |

RES. 2006-6076  
CONTINUED

FRANCISCAN HEALTH CARE CENTER. Seconded by Alderman Kosovich. All voted Aye; motion carried.

TRAFFIC ANALYSIS F-7.  
W. DREXEL AVE.  
AND W. RAWSON  
AVE.

Alderman Olson moved to table Phase II of the Traffic Impact Analysis for S.T.H. 36 STREET OPENING BETWEEN W. DREXEL AVENUE AND W. RAWSON AVENUE. Seconded by Alderman Sohns. All voted Aye; motion carried.

CLOSED SESSION- F-9.  
SAFETY RESPONSE  
TASK FORCE

Alderman Olson moved to enter closed session at 7:28 p.m. pursuant to §19.85(1)(g), Stats., to confer with the City Attorney, as legal counsel for the Common Council and the Community Safety Response Task Force, who is rendering advise concerning strategy to be adopted by the Council with respect to litigation upon matters involving the supervision, monitoring and notification of registered sex offenders necessary to protect the safety of the Community and additionally as required pursuant to law and the administration of the law, in which it is likely to become involved, and to consider to the retention of additional legal representation upon such matters and for such likely litigation and to reenter open session and the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:27 p.m., Alderman Sohns moved that based on information discussed in closed session, the City prepare a notification to be mailed to all City residents related to the imminent threat perceived from the presence of a sexual predator in our community. Seconded by Alderman Solomon. All voted Aye; motion carried.

Alderman Sohns then moved to authorize the City Attorney to prepare a Writ of Mandamus or other legal action as he determines appropriate to motivate the State of Wisconsin to provide information that the City seeks to protect our residents, and report back to the Common Council at their meeting of May 2, 2006. Seconded by Alderman Solomon. All voted Aye; motion carried.

It was further moved by Alderman Sohns to support the City Attorney with additional legal counsel as he deems necessary, with a report back to the Common Council at their meeting of May 2, 2006. Seconded by Alderman Skowronski. All voted Aye; motion carried.

CLOSED SESSION - F-8.  
REQUEST FOR  
DISABILITY  
RETIREMENT

Alderman Olson moved to enter closed session at 8:30 p.m. pursuant to §19.85(1)(c) and (f), Stats., to consider the request from a public employee for disability retirement and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

**CLOSED SESSION-  
CONTINUED**

Upon reentering open session at 8:38 p.m., Alderman Sohns moved to approve the request from a public employee for a disability retirement effective May 1, 2006 as discussed in closed session. Seconded by Alderman Skowronski. All voted Aye; motion carried.

**CLOSED SESSION-  
S. 27TH STREET  
CORRIDOR PLAN**

- F-10. Alderman Solomon moved to enter closed session at 8:40 p.m. pursuant to §19.85(1)(e), Stats., for market competition and bargaining reasons to deliberate and negotiate terms relating to the potential development of property[ies] within the S. 27th Street Corridor Plan Project Area, and the investing of public funds and governmental actions in relation thereto and to effect such development, including the terms and provisions of a development agreement for the development of property[ies] within a tax incremental district, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 9:17 p.m.

**FINAL RESOLUTION  
AND AWARD OF  
BID-  
S. 31ST STREET**

- F-11. Alderman Sohns moved to table a final resolution directing installation of, payment and levy of special assessment for installing sanitary sewer and water main and laterals on S. 31st Street from 2200 feet north of W. Drexel Avenue to 700 feet north of W. Minnesota Avenue and a resolution awarding bid to the lowest bidder for S. 31st Street extension including sanitary sewer and water main between W. Rawson Avenue and a point 2200 feet north of W. Drexel Avenue to 05/16/06 Common Council meeting. Seconded by Alderman Hammelman. All voted Aye; motion carried.

**APPOINTMENTS**

- G-1. Alderman Sohns moved to confirm the Mayoral appointment of Randall Ritter, term expires 4/30/09, to the Plan Commission. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.

Alderman Sohns moved to confirm the Mayoral appointment of Kevin Haley, term expires 4/30/08, to the Plan Commission. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

(The Mayor directed the City Attorney to review statutes relating to Plan Commission appointment terms.)

No action was taken on the appointment of Jim Ziegenhagen to the Plan Commission.

**LICENSES**

- H-1. Alderman Hammelman moved to grant the following licenses subject to meeting all licensing requirements:

Change of Agent Combination Class B for Tuckaway Country Club, new agent-Jerry D. Mortier, 6901 W. Drexel Avenue;

Operator License to Alvin A. Berezinski, 708 Columbia Avenue, South Milwaukee; Sara L. Eckert, 630 E. Mackinac Avenue, Oak Creek; Mary Ann Hahn, 11001 S. 92nd Street; Linda Hansen, 2936 S. Ninth Place; Susan D. Jacobson, 10924 S. Richard Road, Oak Creek; Phyllis J. Pleester, 1133 S. 26th Street, Milwaukee; Michael D. Retzlaff, 2082 W. Howard Avenue, Milwaukee; Sally J. Senner, 2603 S. Howell Avenue, Milwaukee; Dawn M. Stachowiak, 5613 S. 30th Street, Milwaukee; Amanda L. Trisco, 8841 S. 89th Street; Salina M. Valazquez, 3355 Marina Road, South Milwaukee; Gloria Zamora, 4603 Carter Drive, Racine; Michael B. Reichl, 7559 Drake Lane and Donald E. Wick, 3205 W. Central Avenue with warning letter from City Clerk;

Temporary Class B Beer & Wine to Franklin Civic Celebration, Michael Reichl, 7559 Drake Lane, on 6/30/06 to 7/5/06;

Temporary Class B Beer & Wine to St. Martin of Tours Parish, Diane Winkowski, 7963 S. 116th Street on May 5,6, and 7, 2006;

Temporary Entertainment & Amusement to St. Martin of Tours Parish, Diane Winkowski, 7963 S. 116th Street for variety show on May 5, 6, and 7, 2006;

Fee waivers to St. Martin of Tours Parish-licenses, 7963 S. 116th Street on May 5, 6, and 7, 2006, fees for temporary Class B, food, soda and entertainment & amusement with the exception of City expenses incurred;

Fee waivers to Franklin Civic Celebration, 9229 W. Loomis Road on 6/30/06 to 7/5/06, waiver for fees for temporary food, soda, beer & wine with the exception of City expenses incurred;

Fee waiver to Widskids-Queen of Diamonds, event at Wal-Mart, 6701 S. 27th Street on March 18-19, 2006, waiver of fees for temporary food & soda;

Fee waiver to Fleet Reserve Association (FRA), Leon J. Zalewski, President, waiver of fees for St. Martins Fair including Labor Day weekend;

Fee waiver to Franklin Lions Club, David Lindner, Member, waiver of fees for St. Martins Fair including Labor Day weekend;

**LICENSES-  
CONTINUED**

No action necessary on the application for an Operator License for Chesley V. Brown, 1708 W. Meyer Lane, Oak Creek;

And also moved to hold Operator License for Sharon R. Neddef, 3355 Marina Road, South Milwaukee subject to appearing before the License Committee. Seconded by Alderman Skowronski. All voted Aye; motion carried.

**BILLS**

- I-1. Alderman Sohns moved to approve net City vouchers in the range of Nos. 115559 through 115717 in the amount of \$13,965.333.24. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.

Alderman Kosovich moved to approve net payroll of April 14, 2006 in the amount of \$303,554.60. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.

**ADJOURNMENT**

- J. Alderman Kosovich moved to adjourn the meeting at 9:25 p.m. Seconded by Alderman Sohns. All voted Aye; motion carried.